

## **REMARKS**

The final Office Action dated May 3, 2007, has been carefully considered. Claims 30-35 are pending in the present application. Claim 30 has been amended herein to more particularly claim a certain embodiment of the present invention. Support for such amendment can be found in the originally-filed specification at, for example, page 5, lines 32-34. No new matter has been added.

Entry of the above amendment and allowance of the present application are respectfully requested.

### **I. CLAIM REJECTION UNDER § 102(b)**

Claims 30-35 have been rejected under 35 U.S.C. §102(b) as allegedly being anticipated by European Patent Application No. EP 0689807 to Turnlund *et al.* (“Turnlund”). This rejection is respectfully traversed.

As amended, claim 30 recites a medical device comprising a metal. Claims 31-35 depend from claim 30 and, thus, include all the recitations of claim 30.

Turnlund does not teach or suggest a medical device comprising a metal as recited in claim 30. Instead, Turnlund is directed to biodegradable mesh-and-film stents that are constructed of biodegradable materials (Abstract). Turnlund does not disclose or suggest the use of a metal in such stents.

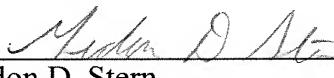
Therefore, it is believed that claims 30-35 are patentable over Turnlund. Accordingly, withdrawal of this rejection and allowance of claims 30-35 are respectfully requested.

**II. CONCLUSION**

As the claim rejection has been overcome, all pending claims are believed to be in condition for allowance. Should the Examiner not agree with Applicant's position, then a personal or telephonic interview is respectfully requested to discuss any remaining issues and expedite the allowance of the application.

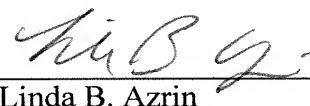
Respectfully submitted,

Date: July 2, 2007

  
Gidon D. Stern

(Reg. No. 27,469)

By:

  
Linda B. Azrin  
**JONES DAY**  
222 East 41st Street  
New York, New York 10017  
(212) 326-3939

(Reg. No. 44,516)